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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JOEL MILLER,

Defendant.

Case No.: CR 19-0265 JD

**STIPULATION AND ~~PROPOSED~~
ORDER CONTINUING HEARING AND
EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT**

IT IS HEREBY STIPULATED, by and between the parties to this action, that the STATUS HEARING presently set for December 18, 2019 at 10:30 a.m. before Hon. James Donato, be CONTINUED until January 15, 2020 at 10:30 a.m. for STATUS OR CHANGE OF PLEA

The reason for this request is that the defense still needs time to conduct additional discovery review, factual investigation into the allegations, and legal research. Discovery has been provided, but the government is still reviewing its position with regard to possible disposition. Defense counsel is also not available between December 23 and January 6, due to pre-planned taking of annual leave.

1 The parties agree and stipulate that the time until January 15, 2020 should be excluded, under
2 18 U.S.C. §3161(H)(7)(A) and (B)(iv), because the ends of justice served by the granting of the
3 continuance outweigh the best interests of the public and the defendant in a speedy and public trial.
4 The continuance is necessary to accommodate counsel's preparation efforts and the continuity of
5 counsel.
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10 Date 12/16/19

11 /s/
12 John Paul Reichmuth
13 Assistant Federal Public Defender
14 Counsel for defendant MILLER

15 Date 12/16/19

16 /s/
17 Leah Paisner
18 Special Assistant United States Attorney

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20 ORDER

21 Based on the reasons provided in the stipulation of the parties above, the court
22 hereby FINDS:

23 1. The ends of justice served by the granting of the continuance from December 18, 2019,
24 until January 15, 2020, outweigh the best interests of the public and the defendant in a speedy and
25 public trial because additional discovery review, investigation, and legal research are necessary to the
26 defense preparation of the case. Defense counsel will also be unavailable from December 23 until
27 January 6, 2020. Based on these findings, it is hereby
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1 ORDERED that time be excluded under the speedy trial act, 18 U.S.C. Section 3161(H)
2 (7)(A) and (B)(iv) from December 18, 2019, until January 15, 2020. Further, it is

3 ORDERED that the STATUS hearing in this case be CONTINUED until January 15,
4 2020 at 10:30 a.m. for STATUS OR CHANGE OF PLEA

5 **IT IS SO ORDERED.**

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7 Date December 17, 2019

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HON. JAMES DONATO
UNITED STATES DISTRICT JUDGE